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REMARKS

With entry of the instant amendment, claims 23, 36 – 40, 51 – 53, 55 and 57 – 73 are pending. Claims 23, 57, 59, 61, 62, 66 and 67 have been amended. Claims 68 – 73 are new. Claims 1 – 22, 24 – 35, 41 – 50, 54 and 56 have been canceled without prejudice. Applicants reserve the right to file further continuation and/or divisional applications on the subject matter of any canceled claim. Applicants assert the amendment does not introduce new matter.

Claims 23, 36 and 52 are independent claims.

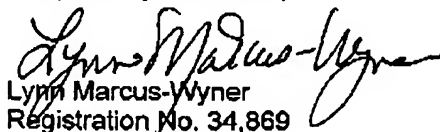
Claim 23 has been amended to incorporate the elements of now canceled claims 21, 15 and 11. New claims 70 and 71 depend from claim 23 and further define the bacterial cell. Claim 70 is directed to a cell which is from the genus *Pantoea*, and claim 71 further defines the amino acid sequences having identity to SEQ ID NO: 12 and SEQ ID NO: 16.

Dependent claims 55 and 57 have been amended to correct the spelling of polypeptide. Claim 66 has been amended to substitute the term "catalyzes" for -- catalyzed --. Claims 61, 62 and 67 have been amended to include a period (.) at the end of the claim. Applicants thank the Examiner for pointing out the grammatical and spelling defects in said claims.

New dependent claims 68 – 69 and 72 – 73 further define the polypeptide having permease activity as having at least 98% or 99% sequence identity to SEQ ID NO: 12. Support is found at page 36 of the disclosure.

Applicants assert pending claims 23, 36 – 40, 51 – 53, 55 and 57 – 73 are in condition for allowance, and allowance of said application is kindly requested.

Respectfully submitted,


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